IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Revision No. 370 of 2007.
Date of Decision: February 26, 2007.

Shaminder Singh @ Shammi

....**Petitioner**

through
Mr. H.S.Diwana, Advocate

Versus

Sunita Rani alias Sunita

...**Respondent**

CORAM:

HON'BLE MR. JUSTICE SURYA KANT.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

SURYA KANT,J.(ORAL)

This revision petition is directed against the order dated 9.12.2006 passed by learned Judicial Magistrate Ist Class, Bathinda.

It appears from the contents of the aforesaid order that the petitioner had moved an application for directing the respondent-his wife to give specimen signatures as the petitioner wanted to prove some alleged settlement deed arrived at between the parties. On the date fixed, neither the petitioner nor his counsel appeared. The said application was accordingly dismissed by learned Judicial Magistrate.

The grievance of the petitioner, however, is that apart from the rejection of the said application, learned Judicial Magistrate has proceeded against him *ex-parte*.

It is further stated that the petition under Section 125 Cr.P.C. is still pending as the respondent-wife has yet not led her entire evidence.

So far as the rejection of the petitioner's application vide the impugned order dated 9.12.2006 is concerned, no exception can be taken to the same. However, as regard to the *ex-parte* proceedings initiated against the petitioner, liberty is granted to him to move an application before the learned Judicial Magistrate to recall the order dated 9.12.2006 to that extent so as to permit him to participate in the proceedings and to lead his own evidence.

Disposed of.

February 26, 2007. **(SURYA KANT)**
dinesh **JUDGE**